

EXHIBIT 14

July 13, 2021

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IN THE CIRCUIT COURT OF THE TWENTIETH JUDICIAL CIRCUIT
ST. CLAIR COUNTY, ILLINOIS

COLLEEN CADAGIN, As)	
Executrix of the Estate of)	
ELIZABETH DRISCOLL,)	
deceased,)	
)	
Plaintiff,)	No. 18-L-572
v.)	
)	
JOHNSON & JOHNSON, et al.,)	
)	
Defendants.)	

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DAILY COPY TRIAL TRANSCRIPT

TUESDAY, JULY 13, 2021
VOLUME 2B

- - -

Before the HONORABLE CHRISTOPHER KOLKER, Circuit Judge
Reported by Jennifer A. Dunn, RPR, CCR

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<p style="text-align: right;">Page 428</p> <p>1 microphone because I heard a little bit of feedback.</p> <p>2 Can everyone hear me okay if I don't use it?</p> <p>3 Okay. All right. Great.</p> <p>4 DEFENDANT'S OPENING STATEMENT</p> <p>5 MS. BROWN: Good afternoon, everybody. My</p> <p>6 name is Alli Brown, and I am here with my good friend and my</p> <p>7 colleague, Mike Brown, who you had a chance to meet this</p> <p>8 morning on behalf of the folks at Johnson & Johnson.</p> <p>9 And, first of all, a big thank you to</p> <p>10 everyone for participating in what we know was a very long</p> <p>11 and super hot jury selection process. We are so grateful</p> <p>12 that you stuck with us and then came back today and that</p> <p>13 you're here with us today.</p> <p>14 Now, the plaintiff's lawyer just said some</p> <p>15 really bad things about Johnson & Johnson. And just made</p> <p>16 some extraordinarily serious allegations about the men and</p> <p>17 the women who work there.</p> <p>18 And unfortunately, sometimes that can be an</p> <p>19 easy thing to do, right? It can be real easy to point the</p> <p>20 finger at a large international corporation like Johnson &</p> <p>21 Johnson, especially in the interest of winning a lawsuit for</p> <p>22 money.</p> <p>23 And you guys were here, and you heard a lot</p> <p>24 of people don't like corporations. A lot of prospective</p>	<p style="text-align: right;">Page 430</p> <p>1 documents are not a true picture of the testing and the</p> <p>2 science in this issue, and I want to show you just one or</p> <p>3 two of those to give you a flavor for what I think went on</p> <p>4 here this morning and what I'm afraid might go on here</p> <p>5 during this trial.</p> <p>6 Could I have the Elmo? Thanks.</p> <p>7 One of the very first documents that was on</p> <p>8 the big board over here and also up on the screen is this</p> <p>9 one. It is a 1964 memo from some scientists at Johnson &</p> <p>10 Johnson, and the subject is: "Cornstarch development."</p> <p>11 And one of the things you're going to see a</p> <p>12 lot of in this case, folks, are internal Johnson & Johnson</p> <p>13 memorandum where the scientists and the doctors and the</p> <p>14 researchers at Johnson & Johnson were studying things like</p> <p>15 talc and cornstarch, testing the product, reviewing the</p> <p>16 scientific literature, talking to experts, to make sure that</p> <p>17 the product was safe.</p> <p>18 But Counsel put this document up on the</p> <p>19 timeline here in an effort, I thought, to suggest that</p> <p>20 somehow, somebody, in 1964, thought there was a safety</p> <p>21 problem with talc. And she read this sentence talking about</p> <p>22 replacing -- using cornstarch development as a condom</p> <p>23 lubricant and it would replace talc because it was found to</p> <p>24 be absorbed safely in the vagina, whereas talc was not.</p>
<p style="text-align: right;">Page 429</p> <p>1 jurors told us that.</p> <p>2 They told us that, you know, they had seen so</p> <p>3 much attorney advertising, they had seen so many news</p> <p>4 stories about talc or corporations, that they couldn't put</p> <p>5 that stuff aside and come into this case with an open mind.</p> <p>6 But you guys are all here because you told us</p> <p>7 you could do that, and we are so grateful for that, that you</p> <p>8 could put aside anything you might have heard on TV, any of</p> <p>9 the infomercials you might have seen at 3 o'clock in the</p> <p>10 morning, that you can put all that stuff to the side, come</p> <p>11 into this case with an open mind, and judge this case on the</p> <p>12 evidence and on the facts.</p> <p>13 And the evidence and the facts and the</p> <p>14 science and the truth is going to be that Johnson's Baby</p> <p>15 Powder is safe and did not cause Ms. Driscoll's cancer.</p> <p>16 But what I'm afraid is going to go on here,</p> <p>17 and what we already saw a little bit of this morning, is</p> <p>18 going to be an effort to get you guys so mad at Johnson &</p> <p>19 Johnson that you turn your eyes away from the evidence, away</p> <p>20 from the facts, and away from the truth, and we saw it this</p> <p>21 morning.</p> <p>22 Counsel had a chart up here and on the screen</p> <p>23 with all sorts of snippets of documents that she showed you</p> <p>24 on the screen, and I would suggest to you that those</p>	<p style="text-align: right;">Page 431</p> <p>1 But she knows, because she has the other</p> <p>2 documents about this issue, what they're really talking</p> <p>3 about there. And the absorption issue that they're talking</p> <p>4 about in this document has got nothing to do with ovarian</p> <p>5 cancer.</p> <p>6 Because one of the things you're going to</p> <p>7 learn about in this trial, and it's true for any foreign</p> <p>8 particle; cornstarch, talc, sand, splinters, when you get</p> <p>9 something like that inside your body, your body can have an</p> <p>10 inflammatory response to -- to get the area cleaned out, it</p> <p>11 turns red when you get a splinter, it's an irritant. Your</p> <p>12 body just forms a red sort of circle around it.</p> <p>13 It has nothing to do with cancer. It's your</p> <p>14 body's reaction to a foreign particle. And she knew that</p> <p>15 that's what this document is about because she has this one,</p> <p>16 Defendant's 8201. It's a document from a couple of months</p> <p>17 later dated November 3rd, 1964.</p> <p>18 Again, more of the scientists at Johnson &</p> <p>19 Johnson investigating cornstarch, investigating issues with</p> <p>20 their products, and what they say at the bottom of this memo</p> <p>21 explains what the absorption issue was.</p> <p>22 The supplier further points out that there</p> <p>23 are two possible advantages of starch in Baby Powder. One,</p> <p>24 is its ability to hold more than 50 percent water, and the</p>

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<p style="text-align: right;">Page 464</p> <p>1 always been our opinion and continues to be our opinion, 2 based on over 15 years of closely examining this product, 3 that it is free of asbestos." 4 You're going to see those documents and see 5 that testing. 6 And then you're going to hear about testing 7 that was done, not by Johnson & Johnson, not by experts 8 Johnson & Johnson was paying, but by the federal government, 9 by NIOSH in conjunction with Harvard, that literally went 10 into Johnson & Johnson's Vermont talc mine in the 1970s and 11 did a study of the workers to see if they were getting any 12 diseases, and tested the talc using the highest sensitive 13 methods; TEM, and concluded that that type of analysis, 14 analysis by transmission electron microscopy, revealed no 15 asbestos. Published in the scientific literature in 1979. 16 You're going to hear, in fact, and see 17 evidence of decades of testing of Johnson's Baby Powder by 18 the government, by academic institutions, by J&J, by the 19 experts J&J hired, all that confirm and support the safety 20 of Johnson's Baby Powder. 21 So what I want to do, I want to leave you 22 with a couple of things to look out for as Plaintiff's 23 evidence comes to you in this case. 24 So, the way it works, and it's hard for me</p>	<p style="text-align: right;">Page 466</p> <p>1 We heard this morning, and I wrote it down 2 because it's just not right, a statement that Health Canada 3 did an independent, I think the word was, evaluation of the 4 science here. And what the evidence is going to be when it 5 comes to you is that Health Canada cited expert reports from 6 Plaintiffs' lawyers, experts Plaintiffs are paying in U.S. 7 litigation. 8 You're going to see that there's nothing 9 independent about what's going on in Canada. I think it's 10 going to raise some red flags for you, but I would keep your 11 eye out for why in the world we're talking about another 12 country's regulatory scheme when we got a whole lot going on 13 right here. 14 I expect you're going to see tons of 15 documents from other companies, like the mining company that 16 we bought the talc from. Other people's e-mails that never 17 went to anybody at Johnson & Johnson. 18 There is a couple of these gentlemen, you 19 know, from the '60s, the '70s, the '80s. You're going to 20 see all of their memos. It's almost all men on these memos 21 and these documents. 22 And the way they talk is not the way we talk 23 today, right. And you're going to see memos that are going 24 to be taken out of context, like that Wehner letter you were</p>
<p style="text-align: right;">Page 465</p> <p>1 and Mike, who want to get up and talk to you right away, but 2 they have the burden of proof, right, they sued us, so they 3 have to go first, and that means we have to sit back and 4 wait our turn, which we will try patiently to do, but this 5 will be my last opportunity to talk to you before they start 6 their case, so I wanted to leave you with a couple things to 7 kind of be on the lookout as the evidence is coming for you. 8 Number one is a little bit of what we talked 9 about when I started today. These efforts to just make you 10 mad at us, to make you mad at corporations, and to make you 11 mad at J&J. 12 And you saw it already kind of with an 13 advertisement that went up this morning, some kind of 14 advertisement for young girls. 15 There's no evidence in this case Ms. Driscoll 16 ever saw any kind of advertisement. And so I would be 17 real -- I would have your antenna go up when you start 18 seeing marketing documents, advertisements, things that have 19 got nothing to do with Ms. Driscoll, and are only coming 20 into evidence to try to get you mad at us. 21 Number 2, reliance on foreign health 22 organizations. Why in the world are we talking about what 23 other governments are doing when we got decades of analysis 24 being done by our government here in the United States?</p>	<p style="text-align: right;">Page 467</p> <p>1 shown today, trying to suggest that they mean something they 2 don't. Or trying to suggest that Johnson & Johnson did 3 something or meant something that it never did. 4 So, look carefully at the documents you're 5 being shown. Are you seeing the whole picture? Is it 6 someone who even worked for us? Is it anything that even 7 went to us? How did we respond? You know, have these 8 questions kind of going on in your head. 9 And then, finally, the whole case that's 10 coming to you, and it's going to start tomorrow, I think, is 11 based on sort of scare words, I would call them. It's kind 12 of what -- what I said in the past is this kitchen sink 13 approach, right? 14 It's going to be, there are all these really 15 scaring things in Baby Powder, and that's what makes it 16 cause cancer; asbestos, fibrous talc, arsenic, you know, 17 mercury, you name it, those are going to be allegations that 18 will come to you over the next couple of days, and really 19 question why we're hearing that kind of evidence, 20 particularly in this case, where the plaintiff's tissue was 21 tested, and none of those things were found. 22 They're bringing in an expert here to say he 23 thinks he might have seen a couple particles of talc. And 24 we'll talk about the significance of that, but what he's</p>

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<p style="text-align: right;">Page 472</p> <p>1 night, something comes up and we have to have a conference 2 or a meet -- a hearing in the morning. 3 Not a meeting, a hearing, it's funny though. 4 And sometimes there's a little bit of a delay. 5 If so, like this week I know I have Judge 6 Gleeson's courtroom and Judge Rudolf's courtroom available, 7 which is a lot better place to hang out. We used to have 8 chairs in the hallway and benches, but since they're 9 replacing the windows, they've taken that out. 10 So with that being said, please don't talk 11 about the case even amongst yourselves. You've gotten a 12 good flavor with the opening statements. 13 Leave the notes on your seats, and we will -- 14 and if you need your parking passes, see Elsa. Make sure to 15 wear your juror buttons tomorrow as well. 16 Again, don't talk about the case, don't do 17 any independent research. No Google searches about talc. 18 Again, we've gone through extensive arguments 19 and things on what evidence is allowed in the case and what 20 isn't allowed in the case, and that's the fair way to do it. 21 Okay. The attorneys will present evidence 22 that they believe helps the case, depending on the side 23 they're on. 24 So with that, again, please no social media.</p>	<p style="text-align: right;">Page 474</p> <p>1 CERTIFICATE 2 I, Jennifer A. Dunn, Registered Professional 3 Reporter and Certified Court Reporter, do hereby certify 4 that on July 13, 2021, I was present and reported all of the 5 proceedings had in the case of COLLEEN CADAGIN, Plaintiff, 6 vs. JOHNSON & JOHNSON, et al., Defendants, Cause No. 7 18-L-572. 8 I further certify that the foregoing pages 9 contain a true and accurate reproduction of the proceedings. 10 11 12 13 14 15 "/S/JENNIFER A. DUNN, RPR, CCR #485" 16 17 18 19 20 21 22 23 24</p>
<p style="text-align: right;">Page 473</p> <p>1 You've heard a couple things about that, and if anybody 2 tries to talk to you about the case, please let me know 3 immediately. 4 With that, I'll see you guys tomorrow morning 5 at 9:00. It is now 4:13. 6 (Court stood in recess at 4:13 p.m.) 7 END OF VOLUME 2B. PLEASE REFER TO VOLUME 3A. 8 - - - 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24</p>	

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